

Message Text

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FM SECSTATE WASHDC
TO AMEMBASSY KINGSTON

C O N F I D E N T I A L STATE 105793

E.O. 11652: GDS

TAGS: PEPR, SWEL, JM, US

SUBJECT: COORDINATION BETWEEN JAMAICAN MINISTRY OF
LABOUR AND NAVAL BASE AT GUANTANAMO BAY

REF: KINGSTON 3169

1. BASE AUTHORITIES NEED NOT WORRY ABOUT CONTRAVENING
THE CASE ACT (1 U.S.C. 112B) IN WORKING OUT AN ARRANGE-
MENT FOR A LABOUR MINISTRY LIAISON OFFICER, FOR THE
REASONS BELOW. HOWEVER, THEY SHOULD BE AWARE OF THE
DEPARTMENT'S CIRCULAR 175 PROCEDURE FOR APPROVING IN
ADVANCE THE NEGOTIATION OF EXECUTIVE AGREEMENTS. WHILE
THE NAVY MIGHT WORK OUT AN ACCEPTABLE ARRANGEMENT WITHOUT
ACTUALLY ENTERING INTO A FORMAL INTERNATIONAL AGREEMENT,
THE DEPARTMENT MUST BE IN A POSITION TO DETERMINE WHETHER
OR NOT THAT IS TO BE THE CASE. THE DEPARTMENT ASKS THAT
THE NAVY AUTHORITIES AT GUANTANAMO INFORM IT FULLY OF THE
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NATURE AND THE PROGRESS OF DISCUSSIONS WITH THE JAMAICAN
MINISTRY OF LABOUR.

2. SECTION 112B PROVIDES THAT THE SECRETARY OF STATE SHALL
TRANSMIT TO THE CONGRESS THE TEXT OF ANY INTERNATIONAL
AGREEMENT, OTHER THAN A TREATY, TO WHICH THE UNITED STATES
IS A PARTY WITHIN 60 DAYS FOLLOWING ITS ENTRY INTO FORCE.

IMPLEMENTATION OF SECTION 112B IS ENTIRELY THE RESPONSIBILITY OF THE DEPARTMENT OF STATE; REPORTING OBLIGATIONS ARISE ONLY AFTER AN AGREEMENT HAS BEEN CONCLUDED. EVEN IF A "STATEMENT OF DUTIES" SUCH AS THAT DESCRIBED DID NOT CONSTITUTE AN INTERNATIONAL AGREEMENT FOR PURPOSES OF THE CASE ACT, HOWEVER, THE SECRETARY OF STATE MIGHT CHOOSE TO INFORM THE CONGRESS OF ANY ARRANGEMENT ADOPTED BECAUSE OF ITS POLITICAL SIGNIFICANCE. VANCE

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